

JOURNAL OF THE HOUSE.

Monday, March 24, 2014.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of
allegiance.

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Natick,— Gay
Brothers Sq.

Resolutions (filed by Mr. Linsky of Natick) on the occasion of the dedication of the Gay Brothers Square in the town of Natick;

Id.

Resolutions (filed by Mr. Linsky of Natick) on the occasion of the dedication of the Gay Brothers Square in the town of Natick;

Nicholas
Bartlett.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Nicholas Bartlett on receiving the Eagle Award of the Boy Scouts of America; and

William Henry
Livingston.

Resolutions (filed by Ms. Peisch of Wellesley) honoring William Henry Livingston on receiving the Eagle Award of the Boy Scouts of America;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

Disabilities
programs,—
improve.

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley and Jennifer L. Flanagan for legislation to create a better life experience for individuals with disabilities program.

Boston,—
land.

By Mr. Collins of Boston, a petition (subject to Joint Rule 12) of Nick Collins for legislation to authorize the Commissioner of the Division of Capital Asset Management and Maintenance to grant easements to NStar Electric Company.

Schools,—
epinephrine.

By Mr. Silvia of Fall River, a petition (subject to Joint Rule 12) of Alan Silvia relative to storing and administering epinephrine in schools.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Time share
resales and
transfers.

The House Bill relative to time share resale and transfer service providers (House, No. 3613), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in

Senate document numbered 2054. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill relative to bullying in schools (House, No. 3909, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2055, amended in section 4 by adding the following paragraph:

Schools,—
bullying.

“(n) The department may investigate certain alleged incidents of bullying. If, upon completion of investigation by the department, a school district, charter school, approved private day or residential school or collaborative school is found to not have properly implemented its prevention plan as outlined in subsection (d), the department may require that school district, charter school, approved private day or residential school or collaborative school to properly implement the plan or take other actions to address the findings of the investigation.”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Authorizing the Division of Capital Asset Management and Maintenance to sell or lease certain property in the town of Tewksbury (Senate, No. 2053) (on Senate bill No. 1484, changed); and

Tewksbury,—
land.

To prevent shackling and promote safe pregnancies for female inmates (Senate, No. 2063 (on Senate bill No. 2012);

Female
inmates.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Relative to compliance of condominium associations (Senate, No. 621) (on a petition); and

Condominium
associations.

Providing for sewer commissioners in the town of Wareham (Senate, No. 1856) (on a petition) [Local Approval Received];

Wareham,—
sewer
commissioners.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A report of the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1478) of Eileen M. Donoghue, James Arciero, Angelo L. D’Emilia and Linda Dean Campbell for legislation to further define fraud in public construction contracts,— and recommending the same be referred to the committee on the Judiciary,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Public
construction
contracts.

A petition (accompanied by bill, Senate, No. 2051) of Benjamin B. Downing and Stephen Kulik (by vote of the town) for legislation to authorize the town of Chesterfield to continue the employment of Police Chief Gary Wickland, was referred, in concurrence, to the committee on Public Safety and Homeland Security.

Chesterfield,—
Police Chief
Gary
Wickland.

Reports of Committees.

Anne
Federico,—
sick leave.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Anne Federico, an employee of the Department of Public Health (House, No. 3958). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

Carmen
Mahone,—
sick leave.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Carmen Mahone, an employee of the Trial Court (House, No. 3964), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

Northampton
State
Hospital.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the division of capital asset management and maintenance to convey certain property at Northampton State Hospital (Senate, No. 2006), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Female
inmates.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to prevent shackling and promote safe pregnancies for female inmates (House, No. 1433), ought to pass with an amendment by substitution therefor of a bill with the same title (House, No. 3978). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Musical
instruments.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to the sterilization of musical instruments in schools (House, No. 369).

Body art,—
regulations.

By the same member, for the same committee, on Senate, Nos. 997 and 1005 and House, No. 1889, a Bill regulating body art (House, No. 1889).

Autism,—
treatment.

By the same member, for the same committee, on a petition, a Bill to increase current medical providers' knowledge about autism in order to improve the treatment individuals with autism receive in medical settings (House, No. 1900).

Radon
testing.

By the same member, for the same committee, on a petition, a Bill promoting radon testing (House, No. 1914).

Schools,—
epinephrine.

By the same member, for the same committee, on House, Nos. 1905 and 1939, a Bill relative to the access of epinephrine in schools (House, No. 1939).

Air
pollutants,—
effects.

By the same member, for the same committee, on a petition, a Bill relative to the public health effects of hazardous air pollutants (House, No. 1944).

By the same member, for the same committee, on a joint petition, a Bill to allow a sixty-day bulk purchase of prostate cancer medication (House, No. 1949).	Prostate cancer medication.
By the same member, for the same committee, on a petition, a Bill to establish a lupus erythematosus study and registry (House, No. 1954).	Lupus erythematosus.
By the same member, for the same committee, on a petition, a Bill relative to patient access to information regarding breast reconstructive surgery (House, No. 1959).	Breast reconstructive surgery.
By the same member, for the same committee, on a joint petition, a Bill restricting the sale of tobacco products at health care institutions (House, No. 1966).	Tobacco products.
By the same member, for the same committee, on Senate, No. 1080 and House, No. 1986, a Bill providing equitable treatment for post-acute care hospitals (House, No. 1986).	Post-acute care hospitals,— treatment.
By the same member, for the same committee, on a petition, a Bill relative to the definition of a pharmacy (House, No. 1993).	Pharmacy,— definition.
By the same member, for the same committee, on a petition, a Bill relative to the health care of minors (House, No. 2027).	Minors,— health care.
By the same member, for the same committee, on a petition, a Bill providing access to patient protection services for all Massachusetts residents (House, No. 2028).	Patients,— protection.
By the same member, for the same committee, on a petition, a Bill relative to safe disposal of prescription drugs (House, No. 2033).	Drugs,— disposal.
By the same member, for the same committee, on a petition, a Bill relative to death benefit claims (House, No. 2044).	Death benefits.
By the same member, for the same committee, on Senate, Nos. 1041 and 1078 and House, Nos. 2048, 2049 and 2089, a Resolve to establish a commission to study the health impacts from wind turbines to protect the health of the citizens of the Commonwealth (House, No. 2048).	Wind turbines,— study.
By the same member, for the same committee, on House, Nos. 1955 and 2060, a Bill recognizing pharmacists as healthcare providers (House, No. 2060).	Pharmacists,— designation.
By the same member, for the same committee, on a petition, a Bill relative to firefighters (House, No. 2063).	Firefighters.
By the same member, for the same committee, on Senate, No. 996 and House, No. 2080, a Bill relative to dentistry licensure examinations (House, No. 2080).	Dentistry,— licensure.
By the same member, for the same committee, on a petition, a Bill regarding MassHealth applications (House, No. 2083).	MassHealth applications.
By the same member, for the same committee, on a petition, a Bill amending the children's medical security plan (House, No. 2100).	Children,— medical plan.
By the same member, for the same committee, on a petition, a Bill relative to school-located influenza vaccination programs (House, No. 2108).	Schools,— vaccinations.
By the same member, for the same committee, on a petition, a Bill relative to denture construction safety (House, No. 3360).	Dentures,— regulate.
By the same member, for the same committee, on a petition, a Bill relative to postpartum depression screening (House, No. 3889).	Postpartum depression.
Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.	

Overseas
voting.

By Mr. Murphy of Weymouth, for the committee on Election Laws, on a petition, a Bill relative to voting overseas (House, No. 623).

Boston,—
bilingual
ballots.

By the same member, for the same committee, on a petition, a Bill relative to the preparation of certain bilingual ballots in the city of Boston (House, No. 3914) [Local Approval Received].

Cemeteries
and
crematories.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to cemetery and crematory inspections and penalties (House, No. 1999).

Municipal
unemployment
insurance.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a message from His Excellency the Governor, a Bill relative to municipal unemployment insurance (printed in House, No. 42).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Boston,—
wards and
precincts.

By Mr. Murphy of Weymouth, for the committee on Election Laws, on a petition, a Bill regarding decennial division of wards and precincts in the city of Boston (House, No. 612) [Local Approval Received].

Special
voters.

By the same member, for the same committee, on a petition, a Bill relative to specially qualified voters (House, No. 631).

Absentee
voting.

By the same member, for the same committee, on a petition, a Bill relative to absentee voting (House, No. 632).

Voter
registration.

By the same member, for the same committee, on a petition, a Bill relative to voter registration for program participants (House, No. 633).

Newton,—
ballot
questions.

By the same member, for the same committee, on a petition, a Bill regarding advisory questions on ballots in the city of Newton (House, No. 3457) [Local Approval Received].

Springfield,—
city
council.

By the same member, for the same committee, on a petition, a Bill providing for the term of office of the city council in the city of Springfield (House, No. 3478) [Local Approval Received].

Id.

By the same member, for the same committee, on a petition, a Bill filling vacancies in ward seats of the city council by special election in the city of Springfield (House, No. 3696) [Local Approval Received].

Restaurants,—
choking.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill protecting the health and safety of people in restaurants (House, No. 1890).

Death
certificates.

By the same member, for the same committee, on a petition, a Bill relative to death certificates (House, No. 1989).

Dwellings,—
lead-based
materials.

By the same member, for the same committee, on a petition, a Bill making technical changes regarding the use of lead-based materials in dwellings (House, No. 2026).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Relative to a conservation restriction in the town of Stow (see House, No. 3474, amended);

Relative to insurance proceeds from property claims in the town of Northborough (see House, No. 3509, amended);

Authorizing the town of Burlington to grant additional alcoholic beverages licenses (see House, No. 3688, changed and amended); and

Authorizing the town of Winchester to continue employment of Police Chief Kenneth C. Albertelli (see House, No. 3791);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Relative to the Nantucket Memorial Airport fuel revolving account (House, No. 3626); and Third reading bills.

Relative to the transfer of the employees of the Franklin Regional Council of Governments to the state employees' retirement system (House, No. 3872) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next sitting.

At thirteen minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.